

APR - 6 2004

**OFFICIAL**  
**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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<b>Applicant(s):</b>	Euljoon Park et al.	<b>Examiner:</b>	S. Getzow
<b>Serial No.:</b>	10/077,660	<b>Art Unit:</b>	3762
<b>Filed:</b>	02/14/2002		
<b>Docket No.:</b>	A02P1016US01		
<b>For:</b>	CARDIAC STIMULATION DEVICE INCLUDING SLEEP APNEA PREVENTION AND TREATMENT		

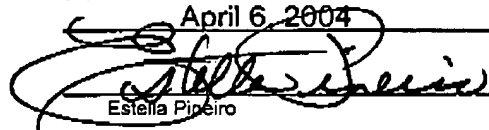
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**AMENDMENT AND REQUEST FOR RECONSIDERATION**

Mail Stop Amendments AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being facsimile  
transmitted to the United States Patent and Trademark Office,  
on:

April 6, 2004

  
Estella Pinheiro Date 4/6/04

Dear Sir:

In response to the Office Action dated February 24, 2004, which was made final,  
please amend the above-identified application as follows.

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0

**Complete if Known**

Application Number	10/077,660
Filing Date	02/14/2002
First Named Inventor	Euljoon Park
Examiner Name	S. Getzow
Art Unit	3762
Attorney Docket No.	A02P1016US01

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

16-0068

PACESETTER, INC.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ )

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE PREV. PAID**

Total Claims	FOR Extra Claims	Fee from below	Fee Paid
12	24** = 0	X 18	= 0
3	-3** = 0	X 85	= 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

**SUBMITTED BY**

Name (Print/Type)	Derrik Reed	Registration No. (Attorney/Agent)	40,138	Telephone	818/493-2200
Signature		Date	4/6/04		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Applicant(s):	Euljoon Park et al.	Examiner:	S. Getzow
Serial No.:	10/077,660	Art Unit:	3762
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Docket No.:	A02P1016US01		
For:	CARDIAC STIMULATION DEVICE INCLUDING SLEEP APNEA PREVENTION AND TREATMENT		

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**TRANSMITTAL OF AMENDMENT... AND CERTIFICATE OF MAILING**

Mail Stop Amendments AF  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith for filing are the following documents:

☒ Amendment and Request for Reconsideration  
☒ Transmittal of Amendment...and Cert. of Mlg.  
☒ Fee Transmittal

Respectfully submitted,

Date:

4/6/04



Derrick Reed, Reg. No. 40,138  
Patent Attorney for Applicants

Correspondence Address:  
PACESETTER, INC.  
15900 Valley View Court  
Sylmar, CA 91392-9221  
818/493-2200  
818/362-4795 (fax)

I hereby certify that this correspondence is being facsimile  
transmitted to the United States Patent and Trademark  
Office on:

April 6, 2004



Estrella Pinoiro Date

## TELECOPIER COVER SHEET

April 6, 2004

APR - 6 2004

OFFICIAL

<b>To: Assistant Commissioner for Patents</b>	<b>From: Estella Pineiro Patent Administrator 818/493-2251</b>
<b>Attention: Examiner S. Getzow, Art Unit 3762 TECHNOLOGY CENTER 3700</b>	<b>ST. JUDE MEDICAL CRMD 15900 Valley View Court Sylmar, California 91392-9221</b>
<b>Telecopier: 703/872-9306</b>	<b>Telecopier: 818/362-4795</b>
<b>RE: Amendment and Request for Reconsideration (AF)  Serial No. 10/077,660  Filed: 02/14/2002  Our Docket No. A02P1016US01</b>	<b>Number of pages being sent: <u>14</u> (Including cover page)</b>

**PLEASE DELIVER TO EXAMINER S. GETZOW, Art Unit 3762. Thank you.**

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE AND THOSE PROPERLY ENTITLED TO ACCESS TO THE INFORMATION AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS TRANSMISSION IS NOT THE INTENDED OR AN AUTHORIZED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY UNAUTHORIZED DISTRIBUTION, DISSEMINATION, OR DUPLICATION OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE OR FACSIMILE. THANK YOU.